

REMARKS

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, the claims have been amended for clarity.

The Examiner has rejected claims 1-3 and 5-8 under 35 U.S.C. 102(e) as being unpatentable over (anticipated by?) U.S. Patent Application Publication No. 2002/0154892 to Hoshen et al. The Examiner has further rejected claims 1-3 and 5-8 under 35 U.S.C. 102(b) as being unpatentable over (anticipated by?) European Patent Application No. 0993163 to Delaney et al. In addition, the Examiner has rejected claim 4 under 35 U.S.C. 103(a) as being unpatentable over Hoshen et al. in view of U.S. Patent 6,385,201 to Iwata. Furthermore, the Examiner has rejected claim 4 under 35 U.S.C. 103(a) as being unpatentable over Delaney et al. in view of Iwata. Finally, the Examiner has rejected claim 6 under 35 U.S.C. 103(a) as being unpatentable over Delaney et al. in view of Hoshen et al.

The Hoshen et al. patent discloses a system for distributing video and content on demand in which a central unit 55 is connected to a plurality of clusters 31-1/30-n, each cluster including a plurality of subscriber set-top boxes (STBs) and storage set-top boxes (SSTBs). In order to provide the subscribers access to various audio/video titles, the central unit stores the titles on various ones of the SSTBs. In a particular embodiment,

the central unit stores different portions of each title within different SSTBs within a same cluster.

The subject invention provides that a service provider exploits the storage capacity of a device of the associated end-user. However, the end-user does not have the right (is unable) to delete, move or modify the content information stored on the device associated with the end-user. Accordingly, storage is distributed but access control remains with the hub even with respect to the end-user of the device storing the very content information that this end-user desires to see/hear. Hence, the hub does not need to store any content information locally. Instead, the hub uses the end-users' devices as distributed storage while retaining control of user-access to the content information as stored, regardless of the device storing the content information and regardless of the end-user of the device storing that content information. This is supported in the specification on page 4, second paragraph. In summary, the content is stored in a distributed way, but control is centralized.

Applicant submits that Hoshen et al. neither discloses nor suggests the fact that the user-owner of the storage STB (SSTB) has no control over what is being stored at his/her SSTB. See, e.g., paragraphs [0064], [0083] and [0199] which suggest that the user has access to the storage part of his/her SSTB independently of an authorization from the Management System. These paragraphs disclose

that a full title is never stored at a single SSTB for copyright protection reasons.

In the subject invention, barring the user from having access to the storage part preserves the system's integrity. Hoshen et al. does not address this aspect, but presumably has the Management System monitor the functioning of the SSTBs that have to report their status every few minutes (see paragraph [0086] therein) for preserving integrity.

The Delaney et al. reference discloses a distributed client-based data caching system and method, in which the system stores content information (data packages) at a client device only upon request from the user of the client device and does not restrict the user's access rights in any manner.

Applicant submits that the subject invention avoids the problems addressed in Delaney, wherein a client in the client-server network has to be active in polling and broadcasting activities in order to keep track of, and receive, available data packages at other clients on the network (see, e.g., paragraphs [0050], [0059] and [0069] therein). The subject invention is also deterministic in contrast with the system in Delaney (see paragraph [0006]), in that the hub of the subject invention controls, and keeps track of, the location of content information in the network of end-user devices, and controls the data traffic.

The Iwata patent discloses a topology aggregation using parameter obtained by internodal negotiation, which includes a plurality of hubs, each hub connected to a respective plurality of networks. However, Applicant submits that Iwata does not supply that which is missing from either Hoshen et al. or Delaney et al., i.e., the end-user does not have the right (is unable) to delete, move or modify the content information stored on the device associated with the end-user. Accordingly, storage is distributed but access control remains with the hub even with respect to the end-user of the device storing the very content information that this end-user desires to see/hear.

In view of the above, Applicant believes that the subject invention, as claimed, is neither anticipated nor rendered obvious by the prior art, either individually or collectively, and as such, is patentable thereover.

Applicant believes that this application, containing claims *, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

by 

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